

EXHIBIT PP

1 CHAD W. DUNN
2 *Admitted Pro Hac Vice*
3 SONNI WAKNIN
4 *Admitted Pro Hac Vice*
5 UCLA Voting Rights Project
6 3250 Public Affairs Building
7 Los Angeles, CA 90095
8 Telephone: (310) 400-6019

MOLLY P. MATTER, WSBA #52311
Amend Law, LLC
PO Box 13203
Burton, WA 98013
Telephone: (206) 280-8724

9 ROSEMARY M. RIVAS
10 *Admitted Pro Hac Vice*
11 MARK H. TROUTMAN
12 *Admitted Pro Hac Vice*
13 GIBBS LAW GROUP LLP
14 1111 Broadway, Suite 2100
15 Oakland, CA 94607
16 Telephone: (510) 350-9700
17 Facsimile: (510) 350-9701

EDWARD MORFIN
Morfin Law Firm
732 N. Center Parkway
Kennewick, WA 99336
Telephone: 509-380-9999

18 *Attorneys for Plaintiff*

19 **UNITED STATES DISTRICT COURT**
20 **EASTERN DISTRICT OF WASHINGTON**

21 JESSE REYES, DANIEL REYNOSO, LEAGUE
22 OF UNITED LATIN AMERICAN CITIZENS,
23 LATINO COMMUNITY FUND OF
24 WASHINGTON

Case No.: 4:21-cv-05075-MKD

Plaintiffs,

**PLAINTIFF DANIEL REYNOSO'S
AMENDED AND SUPPLEMENTAL
RESPONSES AND OBJECTIONS TO
DEFENDANTS' FIRST
INTERROGATORIES**

25 vs.

26 BRENDA CHILTON, et al.,

JUDGE: HON. MARY K. DIMKE

27 Defendants.

28

**PLAINTIFF REYNOSO'S AMENDED AND SUPPLEMENTAL RESPONSES AND
OBJECTIONS TO DEFENDANTS' FIRST INTERROGATORIES**

Case No. 4:21-cv-05075-MKD

1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Daniel
2 Reynoso, by and through his undersigned counsel, hereby provide the following responses and
3 objections to Defendants' First Interrogatories.

4 **PRELIMINARY STATEMENT**

5 1. Plaintiff's responses to Defendants' Interrogatories are made without prejudice to
6 Plaintiff's rights to contend at any other stage of the proceedings that the requested responses are
7 irrelevant, inadmissible, or otherwise objectionable.

8 2. Plaintiff reserves the right to revise, supplement, correct or clarify any of their
9 responses as necessary or appropriate.

10 3. Plaintiff objects to each Interrogatory to the extent it seeks responses protected from
11 disclosure by the attorney-client privilege, attorney work-product doctrine, or any other applicable
12 privileges or immunities. No waiver of any such privilege or immunity is intended by any
13 responses by Plaintiffs. Such inadvertent disclosure is further protected and does not operate as a
14 waiver pursuant to Rule 502(b) of the Federal Rules of Evidence.

15 **OBJECTIONS AND RESPONSES TO INTERROGATORIES**

16 **INTERROGATORY NO. 4:**

17 For the past five years, please state (a) each election in which you voted; (b) how you
18 submitted your ballot (e.g., in-person or by mail); (c) whether the signature on your ballot
19 declaration was determined not to match the signature in your voter registration file; (d) whether you
20 received notice of the signature mismatch; (e) whether you submitted by the deadline the form
21 necessary to cure the signature mismatch; and (f) whether your vote was counted in the election in
22 which you voted.

23 **RESPONSE:**

24 Plaintiff objects on the grounds that the interrogatory is vague, ambiguous, and overbroad as
25 to the terms "each election" because it is not limited to elections in Benton, Chelan, or Yakima
26 counties. To the extent the interrogatory seeks information related to elections not administered by
27 Defendants, Plaintiff objects to the interrogatory on the grounds that it seeks information that is not

1 relevant to the parties' claims and defenses and proportional to the needs of the case. Plaintiff also
2 objects to the interrogatory to the extent Defendants have exclusive or equal access to such
3 information and/or to the extent the requested information is publicly available.

4 Subject to and without waiving the foregoing objections, Plaintiff responds as to elections
5 that took place in the State of Washington as follows: Plaintiff recalls the following:

6 a. Plaintiff voted in the 2017 General Election, 2018 Primary and General Election, 2020
7 General Election, and 2022 Special Election. Plaintiff's ballots were submitted by
8 mail. Plaintiff believes the signatures on his ballot declarations were determined to
9 match the signature in his voter registration file. He received a notice only for the 2018
10 General Election. Plaintiff does not know whether his votes were counted in these
11 elections.

12 b. 2018 General Election: Plaintiff voted in the 2018 General Election. Plaintiff's ballot
13 was submitted by mail. Plaintiff's signature on his ballot declaration was determined not
14 to match the signature in his voter registration file. Plaintiff received notice of the
15 signature mismatch after the election. Plaintiff did not submit by the deadline the form
16 necessary to cure the signature mismatch. Plaintiff's vote was not counted in the 2018
17 general election.

18 **SUPPLEMENTAL RESPONSE:**

19 c. Plaintiff voted in the Special Election in February 2022 (2/8/2022).
20 d. Plaintiff voted in the General Election (11/8/2016)
21 e. Plaintiff voted in the General Elections (11/6/2012)

22
23 **INTERROGATORY NO. 5:**

24 For each election, from all time periods, for which (1) you were notified that the signature on
25 your ballot declaration was determined not to match the signature in Your voter registration file, and
26 (2) you failed to submit by the deadline the form necessary to Cure the signature mismatch, please

1 awarded to a plaintiff where the evidence shows a breach of duty owed to him or an invasion of his
2 legal rights, without showing that he has thereby sustained a material injury.”); *See Steele v.*
3 *Organon, Inc.*, 43 Wash. App. 230, 235 (1986) (nominal damages are defined as “damages awarded
4 for the infraction of a legal right, where the extent of the loss is not shown, or where the right is one
5 not dependent upon loss or damage.”) (internal quotations omitted). Plaintiff further expects that
6 materials in forthcoming expert reports will be responsive.

7 **SUPPLEMENTAL RESPONSE:**

8 Plaintiff seeks nominal damages and any expenses incurred attempting to cure ballot or
9 ensure that ballot was counted.

10
11 **INTERROGATORY NO. 17:**

12 Please describe fully the terms of the injunction You seek against each of Benton County,
13 Chelan County, and Yakima County.

14 **RESPONSE:**

15 Plaintiff objects to this interrogatory on the grounds that it is overbroad, burdensome and
16 premature at this stage in the litigation. *See In re eBay Seller Antitrust Litig.*, No. C 07-1882, 2008
17 WL 5212170, at *2 (N.D. Cal. Dec. 11, 2008); *In re Convergent Securities Litig.*, 108 F.R.D. 328,
18 332-38 (N.D. Cal. 1985); *See also Olson v. City of Bainbridge Island*, No. C08-5513RJB, 2009 WL
19 1770132, at *4 (W.D. Wash. June 18, 2009) (upholding “overly broad” objection to contention
20 interrogatory which requested “all facts and all evidence” supporting a particular allegation); *See*
21 *also AdvoCare Int'l, L.P. v. Scheckenbach*, No. C08-5332 RBL, 2009 WL 3064867, at *1 (W.D.
22 Wash. Sept. 24, 2009) (“Numerous federal courts have held that contention interrogatories which
23 systematically track all of the allegations in an opposing party's pleadings, and that ask for each and
24 every fact and application of law to fact that supports the party's allegations are an abuse of the
25 discovery process because they are overly broad and unduly burdensome.”) (internal quotations
26 omitted). Plaintiff also objects to the interrogatory on the grounds that it calls for expert testimony
27 prior to the deadline of the exchange of expert reports in violation of Fed. R. Civ. P. 26.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows:

Plaintiff expects that materials in forthcoming expert reports will be responsive. Plaintiff intends to provide a response to this interrogatory by January 20, 2023 assuming discovery deadlines do not change. Should additional information surface in light of continuing discovery obligations, Plaintiff reserves the right to supplement or respond thereafter.

SUPPLEMENTAL RESPONSE:

Plaintiff is seeking a permanent injunction against Benton, Chelan, and Yakima Counties that would declare the application of the signature verification process RCW 29A.40.110 violative of the United States Constitution and of Section 2 of the Federal Voting Rights Act, 52 U.S.C. § 10301. Plaintiff seeks to enjoin Defendants, their agents and successors, and all persons acting in concert with, or as agents of, any Defendants from implementing RCW 29A.40.110 and WAC 434-261-050 in future elections.

Dated: May 1, 2023

/s/Mark H. Troutman

ROSEMARY M. RIVAS
Admitted Pro Hac Vice
MARK H. TROUTMAN
Admitted Pro Hac Vice
GIBBS LAW GROUP LLP
1111, Suite 2100
Oakland, CA 94607
Telephone: (510) 350-9700
Facsimile: (510) 350-9701

Attorneys for Plaintiff

VERIFICATION OF INTERROGATORY ANSWERS

I, Daniel Reynoso, verify that I have read and know the contents of the foregoing **Plaintiff Daniel Reynoso's Amended and Supplemental Responses and Objections to Defendant's First Interrogatories** and believe them to be true and correct.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 3 day of May 2023, at Yakima, WA.
(City, State)

DRE

Daniel Reynoso

Signature Certificate

Reference number: JATA7-99YKK-RTXVN-HUUZZ

Signer	Timestamp	Signature
Daniel Reynoso Email: dreynoso826@gmail.com Shared via link	Sent: 03 May 2023 21:58:19 UTC Viewed: 03 May 2023 21:58:33 UTC Signed: 03 May 2023 22:56:12 UTC	 IP address: 172.223.249.11 Location: Yakima, United States

Document completed by all parties on:

03 May 2023 22:56:12 UTC

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